

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

GWENDOLYN MANOR,

Plaintiff,

v.

CITY OF KILLEEN, TEXAS, ISMAEL
SOLIS-DELGADO,

Defendants.

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CIVIL NO. W-23-CV-00262-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 25. The report recommends Defendant City of Killeen, Texas’s Motion to Dismiss Plaintiff’s First Amended Complaint (ECF No. 13) be **GRANTED**, and Plaintiff’s Motion to File Plaintiff’s Second Amended Complaint (ECF No. 21) be **DENIED**. The report and recommendation was filed on December 8, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on January 8, 2024. ECF No. 28. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objection

to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.


IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske., ECF No. 25, is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's objections are **OVERRULED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss, ECF No. 13, is **GRANTED** in accordance with the Report and Recommendation.

IT IS FINALLY ORDERED that Plaintiff's Motion to File Plaintiff's Second Amended Complaint, ECF No. 21, is **DENIED** in accordance with the Report and Recommendation.

SIGNED this 22nd day of January, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE